

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

PAULA BLACK,	:	CIVIL ACTION NO. 3:16-CV-1768
	:	
Plaintiff	:	(Chief Judge Conner)
	:	
v.	:	
	:	
NANCY A. BERRYHILL,¹	:	
	:	
Defendant	:	

ORDER

AND NOW, this 31st day of August, 2018, upon consideration of the report (Doc. 23) of Magistrate Judge Martin C. Carlson, recommending the court deny the appeal of plaintiff Paula Black (“Black”) from the decision of the administrative law judge denying her application for a period of disability, disability insurance benefits, and supplemental security income, and the court noting that Black filed objections (Doc. 24) to the report, see FED. R. CIV. P. 72(b), and following *de novo* review of the contested portions of the report, see *Behar v. Pa. Dep’t of Transp.*, 791 F. Supp. 2d 383, 389 (M.D. Pa. 2011) (citing *Sample v. Diecks*, 885 F.2d 1099, 1106 n.3 (3d Cir. 1989); 28 U.S.C. § 636(b)(1)(C)), and applying a clear error standard of review to the uncontested portions, see *Cruz v. Chater*, 990 F. Supp. 375, 376-78 (M.D. Pa. 1999), the court being in agreement with Judge Carlson that the administrative law judge’s decision “is supported by substantial evidence,” 42 U.S.C. § 405(g); *Fargnoli*

¹ Due to the Federal Vacancies Reform Act, 5 U.S.C. § 3345 *et seq.*, former acting Commissioner of Social Security Nancy A. Berryhill is currently presiding as the Deputy Commissioner for Operations of the Social Security Administration. For consistency purposes, however, we continue to refer to Ms. Berryhill as “the Commissioner.”

v. Massanari, 247 F.3d 34, 38 (3d Cir. 2001), and finding Judge Carlson's analysis to be thorough, well-reasoned, and fully supported by the record, and further finding Black's objections to be without merit and squarely addressed by the report, it is hereby ORDERED that:

1. The report (Doc. 23) of Magistrate Judge Carlson is ADOPTED.
2. The Commissioner's decision denying Black's application for a period of disability, disability insurance benefits, and supplemental security income is AFFIRMED.
3. The Clerk of Court shall enter judgment in favor of the Commissioner and against Black as set forth in paragraph 2.
4. The Clerk of Court is directed to CLOSE this case.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania